

REMARKS / ARGUMENTS

Applicants thank the Examiner for the Office Action of September 25, 2003. This amendment is fully responsive thereto. Applicants have amended claim 1, support for which may be found at line 25 of page 11 through line 3 of page 12. Applicants have also amended the twenty-fourth listed claim in order to correct a typographical error.

Claim Rejections Under 35 U.S.C. § 103:

In the Office Action, the Examiner rejected claims 1-5, 8, 10-19, and 23-25 as unpatentable over U.S. Patent No. 6,355,138 (DOELLE) with or without U.S. Patent No. 6,599,390 (RHEIMS et al.). Applicants respectfully traverse this rejection because DOELLE and RHEIMS et al., alone or together, fail to disclose, teach or suggest all of the limitations of the claims, including the presence of precipitated calcium carbonate in or on at least some of each of the lumen, the secondary cell wall, an exterior surface of the primary cell wall, and the fibrils. Because all of the claim limitations are not disclosed, taught or suggested, the rejection must be withdrawn.

The Examiner also rejected claims 4-5 as unpatentable over DOELLE with or without RHEIMS et al., and further in view of DEPASQUALE et al. As shown above, the combination of DOELLE and RHEIMS et al. fail to disclose, teach or suggest all of the claim limitations. DEPASQUALE et al. fails to remedy this deficiency. As such, the rejection must be withdrawn.

The Examiner further rejected claims 6-9, 19-20, and 22 as unpatentable over DOELLE with or without RHEIMS et al., and further in view of WO 97/01670. As shown above, the combination of DOELLE and RHEIMS et al. fail to disclose, teach or suggest all of the claim limitations. WO 97/01670 et al. fails to remedy this deficiency. As such, the rejection must be withdrawn.

Additionally, the remaining art of record fails to disclose, teach or suggest all of the limitations of the claim, including the presence of precipitated calcium carbonate in or on the lumen, the secondary cell wall, an exterior surface of the primary cell wall, and the fibrils.

CONCLUSION

In conclusion, for the reasons explained above, Applicant believes that all of the claims are patentable, thereby placing the application in condition for allowance. Applicant respectfully requests allowance of the same.

Should the Examiner believe that a telephone call would expedite prosecution of the application, he is invited to call the undersigned attorney at the number listed below. A petition for a one-month extension of time is being contemporaneously submitted with this submission with the required fee. Otherwise, it is believed that no fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375.

Application No. 09/981,029
Amendment dated January 26, 2004
Reply to Office Action of September 25, 2003

Respectfully submitted,

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed to:
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26th day of January, 2004.

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